

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

**IN THE MATTER OF THE ESTATE OF
ELIZABETH L. MCKINNON, DECEASED**

CAUSE NO. 05-10-1721

**MARY ANNE MCKINNON and
LEONARD MCKINNON**

PETITIONERS

**DECREE ADMITTING WILL TO PROBATE
AS MUNIMENT OF TITLE**

This day this cause came on to be heard upon the filed, verified petition of **MARY ANNE MCKINNON** and **LEONARD L. MCKINNON**, and the spouse of the decedent, **LEO H. MCKINNON** praying for the probate of the hereinafter described Will as a muniment of title and for such other relief as hereinafter granted and the Court after considering said petition is of the opinion that the relief prayed for therein should be granted.

IT IS THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED by the Court as follows:

That the Petitioners are the adult children of **ELIZABETH L. MCKINNON**, deceased.. That **ELIZABETH L. MCKINNON** died testate on April 8, 2004 and that at the time of her death she was a resident of Shelby County, Tennessee. That the decedent, **ELIZABETH L. MCKINNON**, was married at the time of her death and her husband, **LEO H. MCKINNON**, joined in the petition and the relief requested. That at the time of her death, **ELIZABETH L. MCKINNON**, owned certain real property in the State of Mississippi and her hereinafter mentioned Will purports to devise such realty.

That the decedent left at her death a Last Will and Testament, that the same, including witness attestation and witness affidavit consists of six (6) pages, is dated the 19th day of September

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2003, and bears the signature of the decedent and the signatures of Bonnie Aguilar and Beth C. Stone as the subscribing and attesting witnesses to the due execution of said instrument by said decedent as her Last and Will Testament. That on said date the decedent was more than eighteen (18) years of age and was possessed of a sound and disposing mind, memory and understanding.

That the said Last Will and Testament of **ELIZABETH L. MCKINNON**, deceased, has been admitted to probate in the Probate Court of Shelby County, Tennessee. That a true and correct copy of the "Order Admitting Will to Probate and Appointing Executor Without Bond", a copy of the Last Will and Testament of **ELIZABETH L. MCKINNON**, deceased, and a true and correct copy of the Affidavit of the Subscribing Witness as to the due execution by the decedent of said instrument as her Last Will and Testament, all duly authenticated, were attached to the Petition filed herein.

That **ELIZABETH L. MCKINNON**, deceased, owned real property in DeSoto County in the State of Mississippi at the time of her death and her aforesaid Last Will and Testament purports to devise such realty. That the Petitioners are adults, are not under any legal disability, and are the sole and only beneficiaries named in the decedent's said Last Will and Testament. That the decedent was married at the time of her death to her husband, **LEO H. MCKINNON**. That **LEO H. MCKINNON** joined in the Petition requesting that said relief requested should and ought to be granted. That the value of the decedent's personal estate in the State of Mississippi at the time of her death, exclusive of exempt property is less than \$10,000.00. That all known debts of the decedent and her estate have been paid, including estate and income taxes, if any.

That Article Three of the decedent's Will provides as follows:

I hereby bequeath my residence and all other real property, and any other property, real or personal, including cash, cash on deposit, investments (stocks and bonds), retirement accounts and any business or business investments as follows: In equal shares, per stirpes, to my beloved daughter, **Mary Anne McKinnon**, and heirs of her body, and to my beloved son, **Leonard L. McKinnon** and heirs of his body.

That the property is located in DeSoto County, Mississippi, and is more particularly described as follows, to-wit:

Lots 302 and 303, Section B, CHICKASAW BLUFF LAKES SUBDIVISION, Section 7, Township 3, Range 9, DeSoto County, Mississippi, as shown on plat of record in Plat Book 6, Pages 29-34, in the Chancery Clerk's Office of DeSoto, County, Mississippi.

That this Court has the authority under Section 91-5-35 of the Mississippi Code of 1972, as amended, to admit the aforesaid Last Will and Testament of the decedent to probate as a muniment of title only, without the necessity of administration or the appointment of an Executor or an Administrator with the Will annexed.

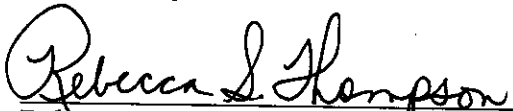
That the relief as prayed for in said petition should be granted, Premises Considered:

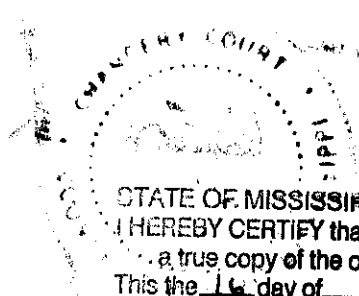
IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED, AND DECREED that the aforesaid Last Will and Testament of **ELIZABETH L. McKINNON** be and the same is hereby admitted to probate as muniment of title as to the real property described above any and all other real property owned by **ELIZABETH L. McKINNON**, deceased, in the State of Mississippi at the time of her death.

ORDERED, ADJUDGED AND DECREED this the 15th day of November, 2005.


CHANCELLOR

Presented by:


Rebecca S. Thompson, MSB #9765
Smith, Phillips, Mitchell & Scott, LLP
P.O. Box 346
Hernando, MS 38632
662-429-5041


STATE OF MISSISSIPPI, COUNTY OF DESOTO
I HEREBY CERTIFY that the above and foregoing is
a true copy of the original filed in this office.
This the 16 day of Nov., 2005
W.E. Davis, Clerk of the chancery court
By S. L. Smith D.C.